



IN THE SUPREME COURT OF IOWA

**IN THE MATTER OF PRIVATE
RETENTION OF COURT
REPORTERS IN CIVIL CASES**

SUPERVISORY ORDER

As part of the recent reduction in court personnel necessitated by the state's financial crisis, the Judicial Branch significantly reduced its workforce, including its court reporting staff. Due to the reduced number of court reporters and the need to concentrate court resources on high-priority cases, the chief judges anticipate that on occasion there may not be a court reporter available to record a hearing or trial in a non-priority civil case. To avoid delays or postponements that might result from this situation, the supreme court will authorize parties to civil cases to retain at their own expense court reporters under certain circumstances.

Accordingly, the following provisions shall apply when a civil case has been scheduled for trial or hearing and a court reporter is unavailable.

1. With the consent of all parties to any civil case, one or more parties may retain at their own initial expense a certified shorthand reporter to report any proceeding and provide courtroom assistance to the judge for that proceeding. The party or parties agreeing to retain a reporter shall notify the district court administrator who shall select the reporter from a roster of shorthand reporters to be maintained by each district court administrator. Such roster shall, in the following order, include: any official reporter currently employed part-time by the judicial branch; any former official court reporter affected by the FY10 reduction in force; any private certified shorthand reporter.
2. The fees for such private retention of reporters shall be no more than \$250 per day or \$150 per half day. Reporters shall also be compensated for their travel to the proceeding at the rate set by the supreme court for official judicial branch duties pursuant to Iowa Court Rule 22.18(2).
3. The district court administrator shall inform the party or parties retaining the reporter of the name and contact information of the reporter selected. The party or parties retaining the reporter shall then make arrangements with the reporter prior to the proceeding that is to be reported for payment of the reporter's fees. The arrangement shall be placed in the record.

4. Fees and mileage expenses of the reporter shall be taxed as costs of the action.
5. At the end of each reported proceeding, the reporter shall file the official notes with the clerk of court and shall comply with the requirements of Iowa Rule of Civil Procedure 1.903. If requested to transcribe the official notes, the reporter may charge those amounts set forth in Iowa Court Rule 22.28.

Dated this 6th day of January, 2010.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha K. Ternus, Chief Justice